

## MINUTES

### RILEY COUNTY PLANNING BOARD

**Monday, February 14, 2005  
7:30 p.m.**

**Courthouse Plaza East  
Commission Meeting Room**

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Members Present: Jon Larson– Chair  
Rebecca Mosier  
Lorn Clement  
Dr. Tom Taul

Members Absent: Buck Gehrt – Vice Chair

Staff Present: Monty Wedel – Planning Director; Bob Isaac – Planner; Steve Higgins – Zoning Enforcement Officer; Derrick Slocum – Planning Intern; Sherie Taylor – Administrative Assistant.

Others Present: Dave and Deborah Abner – petitioners; Tim Sloan – petitioner representative; and one (1) other interested person.

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The minutes of the December 13, 2004 meeting were approved as presented.

The Report of Fees for December 2004 and January 2005 were approved. The fees collected in December totaled \$916.00 and in January they totaled \$1050.00.

#### **PUBLIC HEARING – ABNER – PLAT/REZONE G-1 to A-5**

Chairman Larson opened the public hearing at the request of David L. Abner, petitioner, and David L. and Deborah L. Abner, owners, to rezone a tract of land from Zone G-1 (General Agricultural) to Zone A-5 (Single Family Residential) and to plat the tract of land in Grant Township; Section 9, Township 9 South, Range 7 East in Riley County, Kansas, into four (4) residential lots.

Bob Isaac presented the staff report. He explained that the major concern with this development is that the proposed cul-de-sac was over three times the recommended maximum length listed in the Riley County Subdivision Regulations. He also explained that guideline was included primarily based on the length of the rural fire department's hoses. Mr. Isaac explained that many options were suggested for adequate fire protection in the area, including above or below ground tanks holding several thousand gallons of water. The least expensive, yet acceptable option was to increase the roadbed of cul-de-sac and modify the design to maximize the maneuverability of fire trucks. Mr. Isaac stated that the cul-de-sac would have to pass a final inspection by the County Engineer prior to the recording of the plat. Mr. Isaac said that the Applicant has already constructed a new house on proposed Lot 2. Mr. Isaac stated that the Applicant is proposing the development will be served by rural water and on-site septic systems. He also stated that in the

event of failed percolation for conventional systems, each of the proposed lots is large enough to accommodate wastewater lagoons. He stated that the request was reviewed by the Health Department, County Engineer, Emergency Management, the Conservation District and officials from Fort Riley, with no objections. Staff recommended approval of the request to rezone and plat the subject property.

The Board discussed the fire situation. Deborah Abner stated that the homes in the subdivision will have 19,000 gallon swimming pools and that Pat Collins from the Rural Fire Department had told her he had never used more than 20,000 to fight a house fire in the rural area.

No one wanted to speak for or against the request, therefore the public hearing was closed.

Lorn Clement moved to recommend approval of the rezoning request to the Board of County Commissioners as the request is in accordance with the Comprehensive Plan, is not located on prime soils and would accommodate housing needs. Dr. Taul seconded. The motion carried 4-0.

Lorn Clement moved to approve the plat request for four (4) lots to be known as Harbour Haven Estates. Dr. Taul seconded. The motion carried 4-0.

Mr. Isaac stated that the Board of County Commissioners would consider the requests on March 3, 2005 at 10:30 a.m.

#### **PUBLIC HEARING – RITTER – REPLAT**

Chairman Larson opened the public hearing at the request of Audrey Pepper Ritter, petitioner, and owner, to (re)plat three (3) residential lots in Manhattan Township, Section 23, Township 9 South, Range 7 East in Riley County, Kansas, into two (2) lots.

Derrick Slocum presented. He explained that the property was originally platted in 1964 and has been zoned single family residential since at least 1974. The applicant wishes to reallocate the acreage of the existing three (3) lots into two (2) lots to balance out the size of each lot. He stated that currently, the lots were legally non-conforming lots, via the Sanitary Code. He said that, although replatting the lots would not bring the properties into compliance, it would not increase the degree of non-conformity. He also stated that the replat would eliminate two (2) double-frontage lots, a type of lot layout that is discouraged in the Riley County Subdivision Regulations, and not violate any requirements of the current zoning district. He stated that the request was reviewed by the Health Department, County Engineer, Emergency Management, the Conservation District and officials from Fort Riley, with no objections. Staff recommended approval of the request to replat the subject property.

No one wanted to speak for or against the request, therefore the public hearing was closed.

Lorn Clement moved to approve the replat request. Dr. Taul seconded. The motion carried 4-0.

Mr. Slocum stated that the Board of County Commissioners would consider the request on February 17, 2005 at 10:00 a.m.

## **PUBLIC HEARING - AMENDMENT TO ZONING REGULATIONS – REVISION OF FLOODPLAIN REGULATIONS**

Mr. Higgins presented the proposed amendment. He stated that the amendment was prompted by the discovery of errors on 12 of the 55 map panels and upon the correction of said maps, certain language and dates in the current regulations became obsolete. He explained that the revisions are necessary in order for Riley County to remain in conformance with the National Flood Insurance Program. Steve Higgins stated that, on January 24, 2005, the draft of the proposed amendment was approved by the Chief Engineer of the Division of Water Resources. Mr. Higgins mentioned that on February 7, 2005, the Manhattan Urban Area Planning Board recommended approval of the amendment to the Board of County Commissioners.

No one wanted to speak for or against the request, therefore the public hearing was closed.

Lorn Clement moved to recommend approval of the amendment to the Board of County Commissioners. Becky Mosier seconded. The motion carried 4-0.

Mr. Higgins stated that the amendment would be presented to the Board of County Commissioners on February 24, 2005 at 10:20 a.m.

## **PROPOSED AMENDMENT – PRIVATE ROADS**

Monty Wedel presented the item for discussion. He explained that the numerous 20-acre subdivisions in the County that have private roads have caused numerous problems with addressing, emergency response and long term maintenance. He said the proposed amendment would prohibit the practice of allowing more than one (1) house on a private road (driveway). He said he had notified the president of the local realtors association but had only received a response from Dolly Anderson. She has experience with subdivisions and private roads through her son-in-laws (Bo Newsome) development off Seth Child Road. Mr. Wedel suggested taking the amendment to public hearing and see what happens.

Becky Mosier moved to direct staff to publish the proposed amendment for the March meeting. Dr. Taul seconded. The motion carried 4-0.

## **PROPOSED AMENDMENT – PUBLIC UTILITIES & FACILITIES**

Monty Wedel presented the item for discussion. He explained that the proposed amendment would re-organize Section 22 of the Zoning Regulations following adoption of the Wind Energy Conversion Systems regulations.

Lorn Clement moved to direct staff to publish the proposed amendment for the March meeting. Becky Mosier seconded. The motion carried 4-0.

## **PROPOSED AMENDMENT – SIGNS & LIGHTING**

Monty Wedel presented the item for discussion and stated that Steve Higgins would assist in the explanation of the proposed amendment. They explained that under the current regulations, sign permits must be renewed every five (5) years. Mr. Higgins explained that the amendment would

eliminate that requirement of renewing a sign permit every five (5) years by switching to “one-time” permit, per sign. The amendment requires a new permit for a new sign or if an existing sign is altered. Mr. Higgins stated that during this year’s renewals, he received opposition from Thomas Signs and Schurle Signs. He explained that several counties use the “one-time” permitting procedure and added that it is difficult to police every sign in Riley County every five (5) years. He stated that the problem had been discussed with the Board of County Commissioners and they thought it was a good idea to do away with the five (5) year renewal requirement.

Lorn Clement moved to direct staff to publish the proposed amendment for the March meeting. Becky Mosier seconded. The motion carried 4-0.

### **JLUS**

Monty Wedel stated that the final policy committee meeting is March 8.

### **COMP PLAN UPDATE**

Monty Wedel said he has started the narrative for the Comp Plan Update.

Lorn Clement inquired about an approximate time table for the new update to be completed.

Monty Wedel responded that he would like to be presenting the slideshow by Spring of this year.

Chairman Larson was concerned about the increasing number of houses being built on 20-acre tracts in the north end of the County. He felt it would impact farming operations if it continues to increase.

The meeting was adjourned at 8:30 p.m.